

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

LAWRENCE L. MAYES,	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. CIV-13-1080-C
	)	
STATE OF OKLAHOMA, et al.,	)	
	)	
Respondents.	)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Suzanne Mitchell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Mitchell entered a Report and Recommendation on October 29, 2013, to which Petitioner has timely objected. The Court therefore considers the matter de novo.

Someone on Petitioner's behalf has filed a "Motion for Stay" (Dkt No. 4) and Petitioner has filed his "Motion for Objection to Courts [sic] Report and Recommendation" (Dkt. No. 8). In both pleadings Petitioner is alleged to be in Restrictive Housing and unable to access legal materials in order to obtain the Tenth Circuit's permission to file a second and subsequent habeas corpus petition. However, for the reasons stated in the Report and Recommendation such a request would be futile. As Petitioner does not dispute the facts, the law, or the conclusion reached in the Report and Recommendation, further delay serves no purpose.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, this petition for habeas corpus is dismissed. A judgment will enter accordingly.

IT IS SO ORDERED this 20th day of November, 2013.



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ROBIN J. CAUTHRON  
United States District Judge